

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Thursday, September 10, 2009 – 9:00 a.m. – Room C445 State Capitol

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Rep. Curtis Oda, House Chair
Sen. Gene Davis
Sen. Mark B. Madsen
Pres. Michael G. Waddoups
Rep. James R. Gowans
Rep. Rebecca D. Lockhart
Rep. Carol Spackman Moss

Members Excused:

Sen. Brent H. Goodfellow
Rep. Merlynn T. Newbold

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.leg.utah.gov.

1. Committee Business

Chair Oda called the meeting to order at 9:25 a.m.

MOTION: Sen. Stephenson moved to approve the minutes of the January 16, 2009 meeting. The motion passed unanimously.

MOTION: Sen. Davis moved to approve the minutes of the August 17, 2009 meeting. The motion passed unanimously.

2. R495-888 Department of Human Services Related Parties Conflict Investigation Procedure

Mr. Hunsaker briefed committee members on the issue. He referred to Subsections 62-4a-202.6(b)(i) and (ii) and R495-888 that were contained in the mailing packet.

Mr. Layne Meacham, Licensed Clinical Social Worker, said that R495-888, "Department of Human Services Related Parties Conflict Investigation Procedure" is in direct conflict with Subsections 62-4a-202.6(b)(i) and (ii). He explained that the statute requires investigations of reports of abuse or neglect of a child occurring while the child is in the custody of the Division of Child and Family Services to be carried out by an independent child protective service investigator, but the department is handling investigations internally.

Staff distributed "Transcript of Utah Senate Human Services Standing Committee, January 26, 2001" at Mr. Meacham's request.

Rep. Lockhart expressed concern that the Department of Human Services was not represented at the meeting. Chair Oda said he was told that the department's decision to not attend was due to the ongoing litigation in the courts. Chair Stephenson said the department should attend the next meeting because the litigation is not the issue to be discussed. It was decided this issue would be on the upcoming agenda.

4. Committee Business

Future meetings were scheduled for Tuesday, September 22, 2009 at 9:00 a.m. and Tuesday, October 13, 2009 at 2:00 p.m.

5. Adjourn

MOTION: Rep. Moss moved to adjourn the meeting. The motion passed unanimously.

Chair Oda adjourned the meeting at 10:18 a.m.